#### □3rd □V Vote IZIAC Vote FINAL COUNCIL ACTION PRESIDENT PROTEM [Lu SEP 1 8 2000 SEP 1 8 2000 CERTIFIED □1st & 2nd □Consent Fav, Adv, Hold (see rev. side) Fav, Adv, Hold (see rev. side) Committee Committee Members Members Refer To Refer To Action: Action: Other: Chair Other: Date Chair Date First Reading $\mathcal{C}_{\mathcal{D}}$ Fay Adv, Hold (see rev. side) -av, Adv, Hold (see rev. side) Date 2/ Committee Members Members Refer To Refer To Action: Other: Action: Other: Chair Date Committee Date Referred to Spai. HUMAN RESOURCES THE **NEIGHBORHOOD** CLEAN THE PREMISES OF VARIOUS MAYOR TO DIRECT THE DEPARTMENT OF CONSERVATION DEMOLISH AND STRUCTURES, PURSUANT TO ARTICLE III OF THE ATLANTA HOUSING CODE AND A HEARING CONDUCTED BY THE IN REM E. SE ADOPTED B 61 COUNCIL SEP 18 2000 00 - 0 - 1225AUTHORIZING REVIEW BOARD ON JUNE 29,2000. HUMAN RESOURCES COMMITTEE 1st ADOPT 2nd READ & REFER DEVELOPMENT (Do Not Write Above This Line) BY: COMMUNITYDEVELOPMENT/ 3137 LAKEWOOD AVENUE, SE REGULAR REPORT REFER PERSONAL PAPER REFER 1371 ATHENS AVENUE, SW ADVERTISE & REFER CONSERVATION) TO 116 PARK AVENUE, SE 935 FERN AVENUE, SE Referred To: CONSENT REFER ORDINANCE **NEIGHBORHOOD** AN ORDINANCE Date Referred Date Referred Date Referred Referred To: Referred To: PLANNING, BUREAU و و و و و و

# CITY COUNCIL ATLANTA, GEORGIA



00-0 -1225

#### BY: COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

AN ORDINANCE AUTHORIZING THE MAYOR TO DIRECT THE DEPARTMENT OF PLANNING, DEVELOPMENT, AND NEIGHBORHOOD CONSERVATION (BUREAU OF NEIGHBORHOOD CONSERVATION) TO CLEAN THE PREMISES AND CLOSE THE VARIOUS STRUCTURES, PURSUANT TO ARTICLE III OF THE ATLANTA HOUSING CODE AND A HEARING CONDUCTED BY THE IN REM REVIEW BOARD ON June 29, 2000.

1371 Athens Avenue, SW	12
935 Fern Avenue, SE	02
3137 Lakewood Avenue, SE	12
116 Park Avenue, SE	01

WHEREAS, on March 16, 1987, the Council of the City of Atlanta adopted an Ordinance entitled, "The Atlanta Housing Code of 1987"; and the same was approved by the Mayor of the City of Atlanta on March 24, 1987; and

WHEREAS, on June 29, 2000, pursuant to the Atlanta Housing Code of 1987, Article III; entitled "In Rem Procedures", hearings were held after due notice to owner(s) of and/or parties in interest before the In Rem Review Board regarding certain structures believed to be unfit for occupancy or habitation and to be in violation of Article III; and

WHEREAS, on June 29, 2000, The In Rem Review Board determined that the structures on the real property more fully identified hereinafter, were unfit for human occupancy or habitation and could not be improved, repaired, or altered at a cost of fifty percent (50%) or less of the value of structures, exclusive of the foundation and lots after the improvements have been made; and

WHEREAS, the In Rem Review Board did state in writing these findings of fact in support of such determination and the In Rem Review Board issued and caused to be served upon the owner(s) of and /or parties in interest, an Order requiring the owner(s) and/or parties in interest demolish such structures, clean the premises and plant grass on the lot pursuant to Section 33 (3) c of the Atlanta Housing Code; and

WHEREAS, a period of 30 days from the date of said Order was allowed for the owner(s) and/or parties in interest to comply with the Order; and

WHEREAS, the owner(s) and/or parties in interest of the properties failed to comply with the Order of the In Rem Review Board within the specified time.



# NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA AS FOLLOWS:

<u>SECTION 1:</u> That the Mayor is authorized to direct the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to forthwith demolish and clean the following real property, upon which structure(s) are located:

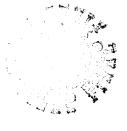
Proper Street Address_	City Council District
1371 Athens Avenue, SW	12
935 Fern Avenue, SE	02
3137 Lakewood Avenue, SE	12
116 Park Avenue, SE	01

**SECTION 2:** That the Mayor is hereby authorized to direct the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to perform the following specific duties at the above mentioned properties:

- (1) Vacate the structures, (if occupied).
- (2) Clean the premises and board the structures(s) in conformity with the In Rem Review Board's Orders.
- (3) File a lien against the real property on which the structures(s) are attached for the cost incurred.
- (4) Maintain the property in conformity with the In Rem Review Board's Order until the structure(s) are repaired or demolished.

SECTION 3: That the Mayor is further authorized to allow the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to engage the professional services of any of the City of Atlanta's pre-qualified contractors to conduct the appropriate duties listed in SECTION 2 of this ordinance.

**SECTION 4:** That all ordinances or parts of ordinances in conflict herewith are hereby repealed.



Notice is hereby given that a complaint was filed by the City of Atlanta against:

**Torrence Dumas** Federal National

6-2-00 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia, seeking relief against the following described real estate, to-wit:

> All that tract or parcel of land lying and being in Land Lot 105 of the 14th District of Fulton County, Georgia, and being Lot 64 of the East Half of Capitol View Subdivision, as per plat recorded in Plat Book 2, page 120, Fulton County Georgia, records, and being more particularly described as follows:

> BEGINNING at a point on the west side of Athens Avenue (formerly Oak Street) 262 feet south from the intersection of the west side of Athens Avenue with the south side of Dill Avenue; running thence south along the west side of Athens Avenue 50 feet to a point; running thence west along the line dividing Lots 64 and 66 said subdivision and plat 130 feet to a point; running thence north 50 feet to a point; running thence east along the line dividing Lots 62 and 64, said subdivision and plat 130 feet to a point of the west side of Athens Avenue and the point of beginning; being improved property having located thereon a onestory frame house, known as 1371 Athens Avenue, Atlanta, Georgia.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated:

June 2, 2000

BY:

Bureau of Neighborhood Conservation, Official Agent

BY:

Assistant Real Estate City Attorney

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Robert L. West, III Omni Financial Services Inc **Old Kent Mortgage Company** Kim Dailey **IRS** 

6-2-00 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia, on seeking relief against the following described real estate, to-wit:

> All that tract of parcel of land lying and being in Land Lot 55 of the 14th District, Fulton County, Georgia, being Lot 11, Block 2, IL. Whaley Estate Property, as per plat recorded in Plat Book 3, Page 163, Records of Fulton County, Georgia, to which plat reference is hereby made for a more complete description of said property. Being improved property known as 935 Fem Ave., SW according to the present system of numbering houses in Atlanta, Fulton County, Georgia.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

BY:

Dated:

June 2, 2000

BY: Bureau of Neighborhood Conservation, Official Agent

Assistant Real Estaté City Attornev



Notice is hereby given that a complaint was filed by the City of Atlanta against:

Paul E. L. Allen The First National Bank of Atlanta The First National Bank of Atlanta, Gainsville Division Wachovia Bank of Georgia

on 6-2-00 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia, seeking relief against the following described real estate, to-wit:

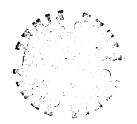
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The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated:	June 2, 2000	BY:	-	The second second	
± .		ы.	Bureau of	Neighborhood Conservation, Offic	ial Agent

BY:

Assistant Real Estate City Attorney



Notice is hereby given that a complaint was filed by the City of Atlanta against:

W. M. David
Danny Holloway
Approved Residential Mortgage, Inc.

on 6-2-00 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia, seeking relief against the following described real estate, to-wit:

All that tract or parcel of land lying and being in Land Lot 57, 14th District, Fulton County, Georgia, being Lot 20 Subdivision, as per plat recorded in Plat Book 1, Page 132, Fulton County, Georgia, records, and being more particularly described as follows:

BEGINNING at a point on the south side of Park. Avenue 100 feet east of the Southeast corner of Park. Avenue and Murray Street; thence south 130 feet; thence east 50 feet; thence north 130 feet to Park. Avenue; thence west along the south side of Park. Avenue 50 feet to the POINT OF BEGINNING, being improved property known as 116 Park. Avenue, S. according to the present system of numbering houses in the City of Atlanta, and being the same property described in that cerain deed from W.M. David to Sloan Balley and Theretha Balley, dated August 18, 1943, and filed in Deed Book 1947, page 114, Fulton County, Georgia records.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated:

June 2, 2000

BY:

Bureau of Neighborhood Conservation, Official Agent

BY:

Assistant Real Estate City Attorney

A true copy,

ADOPTED by the City Council APPROVED by the Mayor

September 18, 2000 September 26, 2000

Deputy Municipal Clerk

## Atlanta City Council

Regular Session

MULTIPLE

00-0-1224 & 00-0-1225

Adopt

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 1

Y McCarty Y Dorsey NV Moore Y Thomas Y Starnes Y Woolard B Martin Y Emmons Y Bond Y Morris Y Maddox Y Alexander Y Winslow Y Muller Y Boazman NV Pitts